

1 UNITED STATES BANKRUPTCY COURT
2 FOR THE DISTRICT OF DELAWARE

3 Case No. 01-01139-amc

4 - - - - - x

5 In re:

6

7 W.R. GRACE & CO., ET AL,

8

9 Reorganized Debtors.

10 - - - - - x

11

12 United States Bankruptcy Court
13 For the Eastern District of Pennsylvania
14 900 Market Street, Suite 204
15 Philadelphia, PA 19107

16

17 October 1, 2021

18 11:01 AM

19

20

21 B E F O R E :

22 HON. ASHELY M. CHAN

23 U.S. BANKRUPTCY JUDGE

24

25 ECRO: TASHA D. DAWSONIA

1 HEARING RE Motion for an Order: (I) Enforcing Against Rune
2 Kraft The Plan And Confirmation Claim Preclusion Bars To
3 Post-Bar Date Assertion Of Administration Expense Claims;
4 And (Ii) Compelling Rune Kraft To Dismiss With Prejudice His
5 Complaint Against The Reorganized Debtor In The Matter
6 Captioned Kraft Vs. Chevron Corp. Et Al., Case No. 2:21-Cv-
7 00575-Djh ("The Arizona Chevron Litigation") Filed By W.E.
8 Grace & Co., Et Al. By James O'Neill

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25 Transcribed by: Sonya Ledanski Hyde

1 A P P E A R A N C E S :

2

3 PACHULSKI, STANG, ZIEHL & JONES, LLP

4 Attorneys for the Reorganized Debtors

5 919 North Market Street, 17th floor

6 P.O. Box 8705

7 Wilmington, DE 19899-8705

8

9 BY: JAMES E. O'NEILL (TELEPHONICALLY)

10

11 THE LAW OFFICES OF ROGER HIGGINS, LLC

12 Attorneys for the Reorganized Debtors

13 516 North Ogden Avenue, Suite 136

14 Chicago, IL 60642

15

16 BY: ROGER J. HIGGINS (TELEPHONICALLY)

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

THE CLERK: Good morning. This is 11:00 on Judge Chan's list for October 1st, W.R. Grace and Company, motion for sanctions against Rune Kraft. Can counsel and parties make their appearance?

MR. O'NEILL: Yes, good morning. This James O'Neill, Pachulski Stang Ziehl and Jones, on behalf of W.R. Grace and joining me today on the phone is Roger Higgins, also on behalf of Grace. Mr. Higgins is my co-counsel.

THE COURT: Do you have anyone else on the line, Tasha?

THE CLERK: No, we do not.

THE COURT: Well, I did read your motion and it appears that this Claimant, Rune Kraft has not complied with my order and is therefore in contempt of that order. And apparently has not dismissed the proceeding against W.R. Grace. Is that correct, Jamie?

MR. O'NEILL: Yes, Your Honor. That's correct.

THE COURT: Okay. All right. At this point, I'm really left with no option but to enter the order that you guys have filed on record. I really hope that he complies with this and hopefully this will catch his attention.

So the Court will enter an order motion for granting your motion. Thank you very much for coming today.

MR. O'NEILL: Thank you, Your Honor.

1 MR. HIGGINS: Thank you, Your Honor.
2 (Whereupon these proceedings were concluded at
3 11:03 AM)
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certified that the foregoing
transcript is a true and accurate record of the proceedings.

A handwritten signature in cursive script that reads "Sonya M. Ledanski Hyde".

Sonya Ledanski Hyde

Veritext Legal Solutions

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: October 20, 2021

[& - motion]

Page 1

&	al 1:7 2:6,8	corp 2:6	h
& 1:7 2:8 3:3	amc 1:3	correct 4:17,18	hearing 2:1
0	apparently 4:16	counsel 4:4,9	higgins 3:11,16
00575 2:7	appearance 4:5	country 6:21	4:8,9 5:1
01-01139 1:3	appears 4:14	court 1:1,12 4:10	hon 1:22
1	arizona 2:7	4:13,19,23	honor 4:18,25 5:1
1 1:17	ashely 1:22	cv 2:6	hope 4:21
11501 6:23	assertion 2:3	d	hopefully 4:22
11:00 4:2	attention 4:22	d 1:25 4:1	hyde 2:25 6:3,8
11:01 1:18	attorneys 3:4,12	date 2:3 6:25	i
11:03 5:3	avenue 3:13	dawsonia 1:25	ii 2:4
12151 6:7	b	de 3:7	il 3:14
136 3:13	b 1:21	debtor 2:5	j
17th 3:5	bankruptcy 1:1	debtors 1:9 3:4,12	j 3:16
19107 1:15	1:12,23	delaware 1:2	james 2:8 3:9 4:6
19899-8705 3:7	bar 2:3	dismiss 2:4	jamie 4:17
1st 4:3	bars 2:2	dismissed 4:16	joining 4:8
2	behalf 4:7,9	district 1:2,13	jones 3:3 4:7
20 6:25	box 3:6	djh 2:7	judge 1:23 4:2
2021 1:17 6:25	c	e	k
204 1:14	c 3:1 4:1 6:1,1	e 1:21,21 3:1,1,9	kraft 2:2,4,6 4:4
2:21 2:6	captioned 2:6	4:1,1 6:1	4:14
3	case 1:3 2:6	eastern 1:13	l
300 6:22	catch 4:22	ecro 1:25	law 3:11
330 6:21	certified 6:3	enforcing 2:1	ledanski 2:25 6:3
5	chan 1:22	enter 4:20,23	6:8
516 3:13	chan's 4:3	et 1:7 2:6,8	left 4:20
6	chevron 2:6,7	expense 2:3	legal 6:20
60642 3:14	chicago 3:14	f	line 4:10
8	claim 2:2	f 1:21 6:1	list 4:3
8705 3:6	claimant 4:14	filed 2:7 4:21	litigation 2:7
9	claims 2:3	floor 3:5	llc 3:11
900 1:14	clerk 4:2,12	foregoing 6:3	llp 3:3
919 3:5	coming 4:24	g	m
a	company 4:3	g 4:1	m 1:22
accurate 6:4	compelling 2:4	good 4:2,6	market 1:14 3:5
administration 2:3	complaint 2:5	grace 1:7 2:8 4:3	matter 2:5
	complied 4:14	4:8,9,17	mineola 6:23
	complies 4:21	granting 4:24	morning 4:2,6
	concluded 5:2	guys 4:21	motion 2:1 4:3,13
	confirmation 2:2		4:23,24
	contempt 4:15		

[n - ziehl]

Page 2

n	right 4:19
n 3:1 4:1 6:1	road 6:21
north 3:5,13	roger 3:11,16 4:8
ny 6:23	rune 2:1,4 4:4,14
o	s
o 1:21 4:1 6:1	s 3:1 4:1
o'neill 4:6,7,18,25	sanctions 4:4
october 1:17 4:3	signature 6:7
6:25	solutions 6:20
offices 3:11	sonya 2:25 6:3,8
ogden 3:13	stang 3:3 4:7
okay 4:19	states 1:1,12
old 6:21	street 1:14 3:5
option 4:20	suite 1:14 3:13
order 2:1 4:15,15	6:22
4:20,23	t
o'neill 2:8 3:9	t 6:1,1
p	tasha 1:25 4:11
p 3:1,1 4:1	telephonically 3:9
p.o. 3:6	3:16
pa 1:15	thank 4:24,25 5:1
pachulski 3:3 4:7	today 4:8,24
parties 4:4	transcribed 2:25
pennsylvania	transcript 6:4
1:13	true 6:4
philadelphia 1:15	u
phone 4:8	u.s. 1:23
plan 2:2	united 1:1,12
point 4:19	v
post 2:3	veritext 6:20
preclusion 2:2	vs 2:6
prejudice 2:4	w
proceeding 4:16	w.e. 2:7
proceedings 5:2	w.r. 1:7 4:3,7,16
6:4	wilmington 3:7
r	x
r 1:21 3:1 4:1 6:1	x 1:4,10
read 4:13	z
really 4:20,21	ziehl 3:3 4:7
record 4:21 6:4	
reorganized 1:9	
2:5 3:4,12	